

AN ORDINANCE

99662

AMENDING AND REVISING CHAPTER 19, SECTION 251 OF THE CITY CODE REGARDING "SCHOOL ZONES DESIGNATED; DRIVING RESTRICTIONS", TO ALLOW FOR THE ESTABLISHMENT OF VARIED SCHOOL ZONES SPEEDS OTHER THAN 20 MPH; AND THE ESTABLISHMENT OF VARIED SCHOOL ZONE TIMES OTHER THAN 7-9 A.M. AND 2-4 P.M.; AND FOR THE INDICATION OF THE SCHOOL ZONE PERIODS VIA FLASHING BEACONS AT CERTAIN LOCATIONS.

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WHEREAS, all school speed zone limits in San Antonio are established at twenty miles-per-hour regardless of the usual speed limits for their locations at non-school zone times; and

WHEREAS, large speed differentials between school zone and non-school zone sections of streets can be a factor in non-intersection traffic accidents; and

WHEREAS, a differential of no more than fifteen miles-per-hour is desirable; and

WHEREAS, all school zones within the city are in effect from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. on any regular or special school day regardless of the actual location, needs or times of the respective school's session thus causing motorists to show disrespect and defiance of the posted speeds; and

WHEREAS, customized school zone times are desirable to more efficiently and accurately reflect the requirements of the individual schools; and

WHEREAS, the use of flashing beacons to signify the effective times of the certain school zones is desirable along certain streets in order to increase driver awareness and responsiveness; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. SECTION 1. Sections 19-251(a) and 19-251(b) of the City Code hereby are amended by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

Sec. 19-251. School zones designated; driving restrictions.

(a) As a result of an engineering and traffic investigation by the public works department the city council has determined that the prima facie reasonable and

safe prudent maximum speed on the public streets and highways of the city designated as school zones and described in separate ordinances of the city is twenty (20) miles per hour. may be established at speeds of twenty (20), twenty-five (25), thirty (30) or thirty-five (35) miles per hour.

(b) No person shall drive a vehicle on a public street or highway designated as a school zone at a speed greater than is reasonable and prudent under the circumstances then existing. ~~The speed limit of twenty (20) miles per hour on public streets and highways designated by the city council as school zones between the hours of 7:00 a.m. and 9:00 a.m. in the morning and 2:00 p.m. and 4:00 p.m. in the afternoon on any day of the regular or any special summer school term shall be lawful, but any speed in excess of twenty (20) miles per hour shall be prima facie evidence that the speed is not reasonable and prudent and that it is unlawful.~~ On that portion of those streets or highways designated as a school zone, the prima facie maximum reasonable and prudent speed in miles per hour when school is in session shall be such as provided in subsection (a) above, provided that an appropriate sign giving notice thereof is erected. Such signs shall state the prima facie maximum speed and the times during which the school zone is in effect or operation, or shall state the prima facie maximum speed when flashing and shall be accompanied by a flashing beacon or light during the times the school zone is in effect or operation. The times each school zone shall be in effect or operation shall be specified by the City Traffic Engineer and established by ordinance. Any speed in excess of that established by ordinance for a designated school zone while that school zone is in operation or effect shall be prima facie evidence that the speed is not reasonable and prudent and that it is unlawful.

SECTION 2. Until such time as specific speeds for specific school zones as authorized by 19-251(a) are designated and changed/established by ordinance, the prima facie reasonable, prudent and safe maximum speed on the public streets and highways of the city designated as school zones shall remain twenty (20) miles per hour. All existing designations of school zones shall remain in effect until such time as they are changed by separate ordinance.

SECTION 3. Until such time as specific times for specific school zones as authorized by 19-251(b) are changed and/or established by ordinance, the speed limit of twenty (20) miles per hour on public streets and highways designated by the city council as school zones shall remain in effect between the hours of 7:00 a.m. and 9:00 a.m. in the morning and 2:00 p.m. and 4:00 p.m. in the afternoon on any day of the regular or any special summer school term, and any speed in excess of twenty (20) miles per hour in such zones while such zones are in effect shall be prima facie evidence that the speed is not reasonable and prudent and that it is unlawful.

SECTION 4. The Traffic Control Device Schedules, enacted through Section 19-68 of the City Code of the City of San Antonio, is not amended by this ordinance; and shall be amended to reflect new school zone speeds and times by separate ordinance.

SECTION 5. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 6. No other provision of the City Code is amended hereby. All other provisions shall remain in effect.

SECTION 7. It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Texas Revised Civil Statutes Annotated as amended Title 5, Chapter 551, Government Code.

SECTION 8. Except as set out above, the publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein.

SECTION 9. This ordinance shall become effective five days from publication but in no event before September 12, 2004.

PASSED AND APPROVED this 2nd day of September 2004.



M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney

Agenda Voting Results

Name: 33. 99662

Date: 09/02/04

Time: 04:00:57 PM

Vote Type: Multiple selection

Description: 33. An Ordinance approving revisions to Chapter 19, Section 251 of the City Code regarding "School Zones designated; driving restrictions", to allow for 1) the establishment of reduced speed zones at various speeds other than 20 mph; and 2) school zone times other than 7-9 a.m. and 2-4 p.m. for flashing beacon locations. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Notes: Motioned: CHRISTOPHER "CHIP" HAAS Seconded: ENRIQUE M. BARRERA Notes:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHRISTOPHER "CHIP" HAAS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR	Not present			